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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

11 UNITED STATES,

12 Plaintiff,

13 v.

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15 KEVEN CHEN CHIEH YANG,

16 Defendant.

Case No. CR 11-00472 RMW

**STIPULATION AND []  
ORDER TO CONTINUE SENTENCING  
HEARING**

Date: November 12, 2013  
Time: 9:00 a.m.  
Court: The Hon. Ronald M. Whyte

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19 It is hereby stipulated between the parties, Michael W. Armstrong, attorney for defendant,  
20 Keven Yang, and Daniel Kaleba, Assistant United States Attorney for the United States of  
21 America, that the presently scheduled sentencing hearing of November 12, 2013 be rescheduled to  
22 Monday, January 6, 2014, at 9:00 a.m. before the Honorable Ronald M. Whyte.

23 Defendant's counsel, Michael W. Armstrong, requests this extension because the probation  
24 interview was only recently concluded, and the probation officer needs more time to complete her  
25 report. She agrees with the proposed date.

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The parties agree that the time between November 12, 2013 through January 6, 2014 is properly excluded pursuant to the Speedy Trial Act, Title 18 United States Code, sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv) in the interests of justice.

**SO STIPULATED:**

## NOLAN, ARMSTRONG & BARTON

Dated: November 4, 2013

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MICHAEL W. ARMSTRONG  
Attorney for Defendant KEVEN YANG

MELINDA HAAG  
United States Attorney

Dated: November 4, 2013

## ORDER

For the foregoing reasons, the Court continues the sentencing hearing in this case from November 12, 2013 to January 6, 2014 at 9:00 a.m. For the reasons stated above, the Court further finds that the ends of justice served by granting the requested continuance outweigh the best interests of the public and the defendant in a speedy trial. See U.S.C. § 3161(h)(7)(A) and 3161(h)(8)(7)(iv). Accordingly, time shall be excluded from November 12, 2013 through January 6, 2014.

SO ORDERED.

Dated: November 1, 2013

*Ronald M. Whyte*  
THE HONORABLE RONALD M. WHYTE  
U.S. DISTRICT COURT JUDGE